KO/	BK			1603-158
Po!	,		DOCKET NO.	· · · · · · · · · · · · · · · · · · ·
In the Ma	itter of	WESTERN WIRELESS CORPORATION FOR CERTIFICATION REGARDING ITS		
		USE OF FEDERAL UNIVERSAL SERVICE SUPPORT		
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	P	Public Utilities Commission of the S	tate of South <b>D</b>	)akota
DATI	E	MEMORANI	DA	
8/15	03	Filed and Docketed;		
9/23	03	Order Granting Certification;		
9/23	03	Hocket Closed	·	
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#### ATTORNEYS AT LAW

WYNN A. GUNDERSON J. CRISMAN PALMER G. VERNE GOODSELL JAMES S. NELSON DANIEL E. ASHMORE TERENCE R. QUINN DONALD P. KNUDSEN PATRICK G. GOETZINGER TALBOT J. WIECZOREK

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August 14, 2003

MARK J. CONNOT
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MARTY J. JACKLEY
DAVID E. LUST
THOMAS E. SIMMONS
TERRI LEE WILLIAMS
PAMELA SNYDER-VARNS
SARA FRANKENSTEIN



Pamela Bonrud
Executive Director
SD Public Utilities Commission
500 E Capitol Avenue
Pierre SD 57501

RE: Western Wireless Corporation's Request for Certification As an Eligible

Telecommunications Carrier GPGN File No. 000362/020641

Dear Ms. Bonrud:

Enclosed you will find the original and ten copies of Western Wireless Corporation's Request for Certification Regarding Use of Federal Universal Service Support. I would request the above matter be filed.

This request is filed to verify that Western Wireless Corporation will use all federal universal service support only for the provision, maintenance and upgrading of facilities for which the support in intended, as required with the Telecommunications Act of 1996 and federal regulations promulgated therefrom. Please note that Gene DeJordy, Vice President of Regulatory Affairs of Western Wireless Corporation, has executed the request certifying that all funds received will be used in accordance with federal and state laws.

Finally, please note that the financial information attached to the request has been labeled "Confidential and Proprietary." The information is confidential under A.R.S.D. 20:10:1:39(4) and (5). Because of this, Western Wireless requests confidential treatment of Exhibit A of the request pursuant to A.R.S.D. 20:10:01:41 and that the material be held confidential for ten years then destroyed. This information is confidential as the information is internal and proprietary and can be used adversely by competitors and the development and financial planning constitutes trade secrets as recognized by law. If there are any inquiries as to the confidential treatment, I may be contacted at the above address.

Pam Bonrud August 14, 2003 Page 2

If you need any additional information on the Request for Certification or the request for confidential treatment please let me know.

Once the request is filed, please provide me with a date stamped copy of the Request for Certification. I have enclosed a self-addressed stamped envelope for your convenience.

Sincerely,

Talbot J. Wieczorek

TJW:klw Enclosures

c:

James Blundell Gene DeJordy Suzie Rao

## BEFORE THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE REQUEST OF WESTERN WIRELESS CORPORATION	)	DOCKET NO.
FOR CERTIFICATION REGARDING USE	)	DOCKET NO.
OF FEDERAL UNIVERSAL SERVICE SUPPORT	)	AUG 15 2003

## REQUEST FOR CERTIFICATION

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Western Wireless Corporation ("Western Wireless") hereby submits its Request for Certification ("Request") to the South Dakota Public Utilities Commission ("Commission") pursuant to 47 C.F.R. §§ 54.313 and 54.314. In support of this Request, the Company states the following:

- 1. On October 18, 2001, the Commission by Order designated Western Wireless as an Eligible Telecommunications Carrier ("ETC") in certain non-rural telephone company exchanges and notified the Federal Communications Commission ("FCC") and the Universal Service Administrative Company ("USAC") of the designation and, further, by additional Order designated Western Wireless as an ETC in certain rural telephone company study areas and requested a compliance filing. *See* Order Designating GCC License Corporation as an Eligible Telecommunications Carrier in Non-Rural Telephone Company Exchanges, No. TC98-146, dated October 18, 2001 and Commission's Finding of Facts and Conclusions of Law, No. TC98-146 dated October 18, 2001 (finding it in the public interest to designate GCC an ETC in study areas of listed rural telephone companies).
- 2. On January 6, 2003, the Commission approved Western Wireless' Compliance Filing and issued an Order in file No. TC98-146.
- 3. The purpose of this filing is to provide the necessary information to verify that the Company will use all federal universal service support received only for the provision, maintenance, and upgrading of facilities for which the support is intended, consistent with Section 254(e) of the Telecommunications Act of 1996, 47 C.F.R. § 254(e).

- 4. As a designated ETC in South Dakota, Western Wireless expects to receive High-Cost support in calendar year 2004 for the Company's South Dakota universal service customers. Included in Exhibit A, attached hereto, are USAC's estimated universal service support amounts for 2003. USAC has not published the amount of support all ETCs are projected to receive in calendar year 2004. The USAC projections for calendar year 2004 will be published in early November 2003, as required by FCC rules. As a result, Western Wireless will estimate the amount of support it is projected to receive from USAC in calendar year 2004, based on the most recent 2003 USAC projections.
- 5. Western Wireless also provides in Exhibit A estimates of the expenditures that the Company will incur in year 2004 for the provision, maintenance, and upgrading of facilities and services in South Dakota supported by universal service. Consistent with federal and state law, Western Wireless will only use federal universal service support received in 2004 to offset a portion of the Company's costs for the provision of universal service in South Dakota. Federal support will enable Western Wireless to provide universal service in rural and high-cost areas.
- 6. The matters addressed above are within my personal knowledge and are true and correct.

Dated this <u>13</u> that day of August 2003.

Respectfully submitted,

Gene DeJordy Esquir

ASWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this the \_i3^- day of August 2003.

Shweley & Helm Notary Public State of Washington

(Seal)

My Commission Expires: 06-24-07



# CONFIDENTIAL

## South Dakota Public Utilities Commission WEEKLY FILINGS

For the Period of August 14, 2003 through August 20, 2003

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this report. Phone: 605-773-3705

#### CONSUMER COMPLAINTS

CT03-130 In the Matter of the Complaint filed by Jack R. Leininger, Sioux Falls, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.

Complainant represents that he purchased a ten-year pre-paid long distance service planon August 18, 1998. Service was terminated without notice in June of 2003. Complainant seeks to be reimbursed for the prepaid service not provided.

Staff Analyst: Jim Mehlhaff Staff Attorney: Kelly Frazier Date Docketed: 08/14/03 Intervention deadline: N/A

CT03-131 In the Matter of the Complaint filed by Debbie and Rich Branaugh, Tyndall, South Dakota, against Fort Randall Telephone Company Regarding Charging Business Rates for Residential Line.

Complainants represent that the respondent is charging them the business rate for phone service on their residential line. Complainants seek to have the rate charged on their residential line restored to the residential rate and to be reimbursed for the difference they have paid, plus the costs incurred in bringing this complaint forward.

Staff Analyst: Jim Mehlhaff Staff Attorney: Kelly Frazier Date Docketed: 08/15/03 Intervention deadline: N/A

CT03-132 In the Matter of the Complaint filed by Gregory S. Wilson on behalf of Variable Investment Advisors, Sioux Falls, South Dakota, against S&S Communications/Alterna-Cell Regarding Loss of Long Distance Services.

Complainant's representative states that it purchased a seven-year pre-paid long distance service plan on November 11, 1999. Service was terminated without notice in June of 2003. Complainant seeks to be reimbursed for the pre-paid service not provided, plus damages of \$500.00 per day for each day that they went without service as a result of the respondent's failure.

Staff Analyst: Jim Mehlhaff Staff Attorney: Kelly Frazier Date Docketed: 08/18/03 Intervention deadline: N/A

## **TELECOMMUNICATIONS**

TC03-157 In the Matter of the Filing for Approval of a Reciprocal Transport and Termination Agreement between PrairieWave Telecommunications, Inc. and Midwest Wireless Communications, LLC.

On August 14, 2003, the Commission received a filing for approval of a Reciprocal Transport and Termination Agreement between PrairieWave Telecommunications, Inc. and Midwest Wireless Communications, LLC. According to the filing, the parties wish to put in place an arrangement for the mutual exchange and reciprocal compensation of local telecommunications traffic which is intended to supersede any previous arrangements between the parties relating to such traffic. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than September 4, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier Date Docketed: 08/14/03

Initial Comments Due: 09/04/03

## TC03-158 In the Matter of the Request of Western Wireless Corporation for Certification Regarding its Use of Federal Universal Service Support.

On August 15, 2003, Western Wireless Corporation provided information constituting Western Wireless Corporation's plan for the use of its federal universal service support, excluding the support amounts received for the Pine Ridge Reservation, and to otherwise verify that Western Wireless Corporation will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best Staff Attorney: Karen E. Cremer Date Docketed: 08/15/03 Intervention Deadline: 09/05/03

## TC03-159 In the Matter of the Application of Telrite Corporation for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.

Telrite Corporation is seeking a Certificate of Authority to provide interexchange telecommunications services in South Dakota. The Applicant will provide its interexchange services on a resale basis utilizing the underlying facilities of Qwest, and/or Global Crossing.

Staff Analyst: Keith Senger Staff Attorney: Kelly Frazier Date Docketed: 08/15/03 Intervention Deadline: 09/05/03

## TC03-160 In the Matter of the Application of South Dakota Big Sky Telecom for a Certificate of Authority to Provide Local Exchange Services in South Dakota.

On August 15, 2003, South Dakota Big Sky Telecom filed an application for a Certificate of Authority to provide telecommunications services in South Dakota. South Dakota Big Sky Telecom intends to provide resold local dial-up and long distance to both residential and business customers throughout the areas where Qwest provides service in South Dakota.

Staff Analyst: Michele Farris Staff Attorney: Karen E. Cremer Date Docketed: 08/15/03 Intervention Deadline: 09/05/03

## TC03-161 In the Matter of the Request of Santel Communications Cooperative Inc. for Certification Regarding its Use of Federal Universal Service Support.

On August 15, 2003, Santel Communications Cooperative Inc. (Santel) provided information constituting Santel's plan for the use of its federal universal service support and to otherwise verify that Santel will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best Staff Attorney: Karen E. Cremer Date Docketed: 08/15/03 Intervention Deadline: 09/05/03

## TC03-162 In the Matter of the Request of Valley Telephone Company for Certification Regarding its Use of Federal Universal Service Support.

On August 15, 2003, Valley Telephone Company (Valley) provided information constituting Valley's plan for the use of its federal universal service support and to otherwise verify that Valley will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best Staff Attorney: Karen E. Cremer Date Docketed: 08/15/03 Intervention Deadline: 09/05/03

## TC03-163 In the Matter of the Request of Mount Rushmore Telephone Company and Fort Randall Telephone Company for Certification Regarding its Use of Federal Universal Service Support.

On August 15, 2003, Mount Rushmore Telephone Company and Fort Randall Telephone Company (Mount Rushmore/Fort Randall) provided information constituting Mount Rushmore/Fort Randall's plan for the use of its federal universal service support and to otherwise verify that Mount Rushmore/Fort Randall will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best Staff Attorney: Karen E. Cremer Date Docketed: 08/15/03 Intervention Deadline: 09/05/03

TC03-164 In the Matter of the Request of Alliance Communications Cooperative, Inc. and Splitrock Properties, Inc. for Certification Regarding its Use of Federal Universal Service Support.

On August 18, 2003, Alliance Communications Cooperative, Inc., and its subsidiary Splitrock Properties, Inc. (Alliance/Splitrock) provided information constituting Alliance/Splitrock's plan for the use of its federal universal service support and to otherwise verify that Alliance/Splitrock will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best Staff Attorney: Karen E. Cremer Date Docketed: 08/18/03 Intervention Deadline: 09/05/03

TC03-165 In the Matter of the Filing for Approval of a Resale Agreement between Qwest Corporation and Alticomm, Inc.

On August 19, 2003, the Commission received a filing for approval of a Resale Agreement between Qwest Corporation (Qwest) and Alticomm, Inc. (Alticomm). According to the filing, the agreement sets forth the terms, conditions and pricing under which Qwest will offer and provide to Alticomm ancillary services and telecommunications services available for resale within the geographical areas in which both parties are providing local exchange service at that time, and for which Qwest is the incumbent local exchange carrier within the state of South Dakota for purposes of providing local telecommunications services. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than September 8, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier Date Docketed: 08/19/03 Initial Comments Due: 09/08/03

#### TC03-166

In the Matter of the Filing for Approval of a Reciprocal Transport and Termination Agreement between Midcontinent Communications and Cellco Partnership d/b/a Verizon Wireless, CommNet Cellular License Holding, LLC, Missouri Valley Cellular Inc., Sanborn Cellular Inc. and Eastern South Dakota Cellular Inc.

On August 20, 2003, the Commission received a filing for approval of a Reciprocal Transport and Termination Agreement between Midcontinent Communications and Cellco Partnership d/b/a Verizon Wireless, CommNet Cellular License Holding, LLC, Missouri Valley Cellular Inc., Sanborn Cellular Inc. and Eastern South Dakota Cellular Inc. According to the filing, the parties wish to put in place an arrangement for the mutual exchange and reciprocal compensation of telecommunications traffic in accordance with the Act, and which is intended to supersede any previous arrangements between the parties relating to such traffic. Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than September 9, 2003. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier Date Docketed: 08/20/03 Initial Comments Due: 09/09/03



#### South Dakota Telecommunications Association

PO Box 57 ■ 320 East Capitol Avenue ■ Pierre, SD 57501

605/224-7629 ■ Fax 605/224-1637 ■ sdtaonline.com

## Rural roots, global connections

September 4, 2003

RECEIVED

SEP 0 4 2003

Pamela Bonrud
Executive Director
South Dakota Public Utilities Commission
State Capitol Building
500 East Capitol Ave.
Pierre, SD 57501

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

RE: PUC Docket TC03-158 (In the Matter of the Request of Western Wireless Corporation Regarding Use of Federal Universal Service Support)

## Dear Ms. Bonrud:

In regards to the Request for Certification presented by Western Wireless Corporation ("WWC") in the above referenced docket, the South Dakota Telecommunications Association ("SDTA") would object to the request by WWC to treat the entirety of the information in Exhibit A, attached to its filing, as confidential and proprietary information. In addition, SDTA would request access to that information which is not appropriately designated confidential information.

Pursuant to the letter dated August 14th submitted by WWC, confidential treatment is being sought for all of the information contained in Exhibit A. Because SDTA is unable to review any portion of Exhibit A, we are unsure at this time of the exact nature of the information contained in the Exhibit. According to WWC's Request for Certification, however, the Exhibit contains "USAC's estimated universal service support amounts for 2003," and "estimates of the expenditures that the Company will incur in year 2004 for the provision, maintenance, and upgrading of facilities and services in South Dakota supported by universal service." SDTA opposes WWC's claims that all of this information is trade secret information which should be protected from public disclosure. It is especially inappropriate to make this claim with respect to USAC universal service support amounts, given that this information, in some form, is already publicly available through that federal agency.

The Commission is directed under its administrative rules to make a determination on the confidentiality of filed information "after a request for access to the information is received." ARSD § 20:10:01:42. This rule further provides that the "party requesting confidentiality has the burden of proving by a preponderance of the evidence that the information qualifies as confidential information . . ." SDTA is with this letter making a request for access to the information filed as confidential and does not believe that all of the information submitted meets the standards for confidential treatment set forth in the Commission's rules.



Until such time that SDTA has had an opportunity to review the information contained in WWC's Exhibit A, it is impossible to make any meaningful review of WWC's filing and determine whether intervention in the docket is necessary to ensure WWC's compliance with the federal rules applicable to universal service support or to otherwise protect the pecuniary interests of SDTA member companies.

A copy of this letter has been served by FAX transmission and mail to counsel for WWC.

Respectfully submitted,

Richard D. Coit, Executive Director and General Counsel

South Dakota Telecommunications Association

#### ATTORNEYS AT LAW

WYNN A. GUNDERSON J. CRISMAN PALMER G. VERNE GOODSELL JAMES S. NELSON DANIEL E. ASHMORE TERENCE R. QUINN DONALD P. KNUDSEN PATRICK G. GOETZINGER TALBOT J. WIECZOREK AMERICAN MEMORIAL LIFE BUILDING 440 MT. RUSHMORE ROAD POST OFFICE BOX 8045

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September 9, 2003

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JENNIFER K. TRUCANO
MARTY J. JACKLEY
DAVID E. LUST
THOMAS E. SIMMONS
TERRI LEE WILLIAMS
PAMELA SNYDER-VARNS
SARA FRANKENSTEIN
JASON M. SMILEY

RECEIVED

SEP 1 1 2003

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Pamela Bonrud
Executive Director
SD Public Utilities Commission
500 E Capitol Avenue
Pierre SD 57501

RE: Western Wireless Corporation's Request for Certification

GPGN File No. 000362/020641

Dear Ms. Bonrud:

The South Dakota Public Utilities Commission staff has requested that Western Wireless Corporation clarify its Request for Certification Regarding Use of Federal Universal Service Support. Specifically, there has been a request to clarify that we are not asking the South Dakota Public Utilities Commission to certify Western Wireless Corporation on the Pine Ridge Reservation (the Pine Ridge study area.)

Western Wireless Corporation is not seeking from the SDPUC certification dealing with the Pine Ridge study area. Rather, we are seeking certification over the remainder of the State of South Dakota. Our original submission for certification had restricted our request to all areas except the Pine Ridge Reservation study area but had mistakenly only included that information on Exhibit A, a confidential treatment.

I apologize for any inconvenience this has caused the Commission or its staff. If there are any further questions, please let me know.

Sincerely,

Talbot J. Wieczorek

TJW:klw

c: James Blundell Gene DeJordy RaeAnn Kelsch

#### ATTORNEYS AT LAW

WYNN A. GUNDERSON J. CRISMAN PALMER G. VERNE GOODSELL JAMES S. NELSON DANIEL E. ASHIMORE TERENCE R. QUINN DONALD P. KNUDSEN PATRICK G. GOETZINGER TALBOT J. WIECZOREK AMERICAN MEMORIAL LIFE BUILDING
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September 15, 2003

MARK J. CONNOT
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DAVID E. LUST
THOMAS E. SIMMONS
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PAMELA SNYDER-VARNS
SARA FRANKENSTEIN
JASON M. SMILEY

RECEWED

SEP 1 6 2003

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

VIA FACSIMILE 1-605-773-3809

Pamela Bonrud
Executive Director
SD Public Utilities Commission
500 E Capitol Avenue
Pierre SD 57501

FAX Received SEP 1 5 2003

RE: In the Matter of Western Wireless Corporation for Certification Regarding its use of Federal Universal Service Support

GPGN File No. 000362/020641 Docket TC03-158

Dear Ms. Bonrud:

Western Wireless Corporation has pending Certification Regarding its use of Federal Universal Service Support, Docket TC03-158. In response to his filing, Richard Coit of SDTA, did not file to intervene but did file a letter on September 4, 2003, requesting the South Dakota Public Utilities Commission make a determination of whether financial information provided as part of the filing should be deemed confidential as requested by Western Wireless Corporation.

This letter is to inform you that last Thursday, in a meeting with Mr. Coit, an agreement was reached where Mr. Coit has agreed to forego his request for the determination on confidentiality for the exchange of Western Wireless Corporation providing him under a nondisclosure agreement a chance to review all financial information. Additionally, Western Wireless Corporation has already provided Mr. Coit its 2004 projections for USAC funds and the Fourth Quarter 2003 projections of USAC funds.

Pam Bonrud September 15, 2003 Page 2

Given that this docket number is scheduled to be heard tomorrow, Mr. Coit has been gracious enough to agree not to object to the Commission making a decision on the certification even though it is unlikely we will have an agreed upon nondisclosure agreement by tomorrow. If you have any questions regarding this matter or wish any further information, please let me know.

Sincerely,

Talbot J. Wieczorek

TJW:klw

c: Richard Coit via fax 1-605-224-1637

James Blundell via email Gene DeJordy via email RaeAnn Kelsch via email

# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE REQUEST OF	)	ORDER GRANTING
WESTERN WIRELESS CORPORATION FOR	)	CERTIFICATION
CERTIFICATION REGARDING ITS USE OF	)	
FEDERAL UNIVERSAL SERVICE SUPPORT	)	TC03-158

On May 23, 2001, the Federal Communications Commission (FCC) released an Order concerning the federal universal service support mechanism for rural carriers. 1 This Order (hereafter referenced as the "Fourteenth Report and Order"), in part, codifies at 47 § C.F.R. 54.314, a requirement for States to provide a certification regarding federal universal service support that is received by rural incumbent local exchange carriers and/or eligible telecommunications carriers providing service in rural service areas. Pursuant to such rule, a state that desires rural carriers within its jurisdiction to receive future federal universal service support must file an annual certification with the FCC and the Universal Service Administrative Company (USAC) stating that federal high cost support provided to such carriers within that State will be used only for the provision. maintenance, and upgrading of facilities and services for which the support is intended. This certification requirement applies to various categories of federal universal service support, including support provided pursuant to 47 C.F.R. §§ 54.301, 54.305, and/or 54.307, and/or 47 C.F.R. Part 36, Subpart F (high-cost loop support, local switching support, safety net additive support, and safety valve support). Support provided under these FCC rule provisions will only be made available in the future if the State Commission files the requisite certification pursuant to § 54.314.

The certification required for rural carriers to receive federal universal support for all four quarters during calendar year 2004 is currently due to be filed with the FCC and USAC on or before October 1, 2003. The certification may be presented to these entities in the form of a letter from the State Commission. The letter must identify which carriers in the state are eligible to receive federal support during the 12-month period and must certify that the carriers listed will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

On August 15, 2003, the South Dakota Public Utilities Commission (Commission) received a filing from Western Wireless Corporation (Company) regarding its Request for Certification Regarding its Use of Federal Universal Service Support. The purpose of this filing was to provide information constituting Company's plan for the use of its federal universal service support and to otherwise verify that Company will use all federal universal service support received in a manner that is consistent with the federal universal

<sup>&</sup>lt;sup>1</sup>CC Docket No. 96-45, CC Docket No. 00-256, <u>Fourteenth Report and Order</u>, <u>Twenty Second Order on Reconsideration</u>, <u>and Further Notice of Proposed Rulemaking in CC Docket No. 96-45</u>, and <u>Report and Order in CC Docket No. 00-256</u>, FCC 01-157, Released May 23, 2001.

service provisions of 47 U.S.C. § 254. As a part of its plan, Company listed estimates of the support it expected to receive from USAC as well as its estimated costs for the provision, maintenance, and upgrading of facilities and services. An Affidavit was attached to the Request for Certification. Upon Staff's request, Western Wireless filed further information regarding its request for certification.

On August 21, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of September 5, 2003, to interested individuals and entities. No parties sought intervention. On September 4, 2003, the South Dakota Telecommunications Association (SDTA) filed a letter questioning the confidential nature of Western Wireless' filing. On September 15, 2003, Western Wireless filed a letter stating that the matter with SDTA had been resolved.

At its regularly scheduled meeting of September 16, 2003, the Commission considered this matter.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-31, and 47 U.S.C. § 254. The Commission found that the Company is eligible to receive federal support as it states it will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The Commission unanimously voted to approve Company's Request for Certification Regarding Its Use of Federal Universal Service Support. It is therefore

ORDERED, that the Company is eligible to receive federal support as it states it will only use the support for the provision, maintenance, and upgrading of facilities and services for which the support is intended. It is

FURTHER ORDERED, that the Commission approves Company's Request for Certification Regarding Its Use of Federal Universal Service Support.

Dated at Pierre, South Dakota, this 2314 day of September, 2003.

BY ORDER OF THE COMMISSION:

ROBERT K. SAHR, Chairman

GARY HANSON, Commissioner



Bob Sahr, Chair Gary Hanson, Vice-Chair Jim Burg, Commissioner

# SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue Pierre, South Dakota 57501-5070 www.state.sd.us/puc Capitol Office (605) 773-3201 (605) 773-3809 fax

Transportation/Warehouse (605) 773-5280 (605) 773-3225 fax

Consumer Hotline 1-800-332-1782

September 24, 2003

Ms. Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary 445 12th Street S.W., Room TW-A306 Washington, DC 20554

Ms. Irene Flannery Universal Service Administrative Company 2120 L Street N.W., Suite 600 Washington, DC 20037 Ms. Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary 9300 East Hampton Drive Capitol Heights, MD 20743

Re:

CC Docket No. 96-45, CC Docket No. 00-256, Fourteenth Report and Order, Twenty Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45, and Report and Order in CC Docket No. 00-256, FCC 01-157, Released May 23, 2001

Annual State Certification of Support for Rural Carriers

Dear Ms. Dortch and Ms. Flannery:

The South Dakota Public Utilities Commission (Commission) hereby states that the following rural incumbent local exchange carriers and/or eligible telecommunications carriers within its jurisdiction have been certified to receive support pursuant to 47 CFR §§ 54.301, 54.305, and/or 54.307 and/or part 36, subpart F. The carriers listed below filed requests for certification with the Commission which support their affirmations that all federal high-cost support provided to them will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act. The Commission has granted certification to the following companies:

Alliance Communications Cooperative, Inc. (Baltic) (391642)
Alliance Communications Cooperative, Inc. (Splitrock Properties, Inc.) (391657)
Armour Independent Telephone Company (391640)
Beresford Municipal Telephone Company (391649)
Bridgewater-Canistota Independent Telephone Company (391640) (co. no. 0158)
Cheyenne River Sioux Tribe Telephone Authority (391647)
Citizens Telecommunications Company of Minnesota, Inc. (361123)
City of Brookings Municipal Telephone (391650)
City of Faith Municipal Telephone Company (391653)
Consolidated Telcom (381607)
Dickey Rural Communications, Inc. (381611) (co. no. 1681)

Dickey Rural Telephone Cooperative (381611) (co. no. 1611)

Golden West Telecommunications Cooperative, Inc. (391659)

Great Plains Communications, Inc. (371577)

Heartland Telecommunications Company of Iowa d/b/a Hickory Tech Corporation (351096)

Interstate Telecommunications Cooperative, Inc. (391654)

James Valley Cooperative Telephone Company (391664)

Jefferson Telephone Company (391666)

Kadoka Telephone Company (391667)

Kennebec Telephone Company (391668)

McCook Cooperative Telephone Company (391669)

Midstate Communications, Inc. (391670)

Mount Rushmore Telephone Company and Fort Randall Telephone Company (391660)

Nebcom, Inc.

PrairieWave Community Telephone, Inc. (391652)

Red River Telecom, Inc. (381631)

Roberts County Telephone Cooperative Association and RC Communications, Inc. (391674)

RT Communications, Inc. (512251)

Santel Communications Cooperative, Inc. (391676)

Sioux Valley Telephone Company (391677)

Stockholm-Strandburg Telephone Company (391679)

Three River Telco (371525)

Tri-County Telcom, Inc. (391682)

Union Telephone Company (391684)

Valley Telecommunications Cooperative Association, Inc. (391685)

Valley Telephone Company (361495)

Venture Communications Cooperative (391680)

Vivian Telephone Company d/b/a Golden West Communications, Inc. (391686)

Western Telephone Company (391688)

Western Wireless Corporation (399002)

West River Cooperative Telephone Company (391689)

West River Telecommunications Cooperative (381637) (co. no. 4414)

West River Telecommunications Cooperative (Mobridge) (391671)

Also enclosed are the Orders Granting Certification to the above-referenced rural incumbent local exchange carriers and/or eligible telecommunications carriers. Should you have any questions, please do not hesitate to contact us for further information.

Sincerely,

Robert K. Sahr

Chairman

Gary Hanson Commissioner James A. Burg Commissioner